



UNITED STATES OF AMERICA

v.

FELIPE ALFARO HERNANDEZ

Defendant.

UNITED STATES DISTRICT COURT
for the
Northern District of New York

Case No. 1:25-mj-156-DJS

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about May 22, 2025, in the county of Saratoga in the Northern District of New York the defendant violated:

Code Section

8 U.S.C. § 1326(a)

Offense Description

The defendant, an alien, native and citizen of Mexico, after having been deported or removed from the United States, entered, and was thereafter found in the United States without the Attorney General of the United States, or his successor, the Secretary of the Department of Homeland Security, having expressly consented to his reapplication for admission into the United States.

This criminal complaint is based on these facts:

Continued on the attached sheet.

Complainant's signature

Timothy W. Irving, U.S. Homeland Security Investigations

Printed name and title

Attested to by the Affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date:

May 22, 2025

Judge's signature

Hon. Daniel J. Stewart, U.S. Magistrate Judge

*Printed name and title*City and State: Albany, New York

Continuation Sheet, United States v. Felipe ALFARO HERNANDEZ

On May 22, 2025, at approximately 05:30 A.M., Homeland Security Investigation (HSI), Enforcement and Removal Operations (ERO), and the Federal Bureau of Investigation (FBI) conducted a targeted enforcement action in Troy, NY, to locate individuals known to be illegally present in the United States, and who had previously violated Federal Law.

At 06:05 A.M. ERO Deportation Officer (DO) Christian Manns observed a male leave a particular residence in Troy and enter a silver Acura SUV. Your affiant and ERO DO Dean Smith observed the silver Acura SUV as it departed the neighborhood. Your affiant and ERO DO Smith then conducted surveillance of the vehicle as it travelled onto Interstate 87 north. Your affiant initiated a traffic stop at Exit 8A off of Interstate 87 and instructed the driver to proceed off of the exit. The driver stopped on Woodin Road, in the Town of Halfmoon, NY. The driver was identified as a citizen and national of Turkey who is currently in immigration removal proceedings. The driver was operating the vehicle as an UBER. The passenger was identified as Felipe ALFARO HERNANDEZ a citizen and national of Mexico. ALFARO HERNANDEZ was in possession of a New York State driver's license at the time of the encounter. Law enforcement database checks revealed that ALFARO HERNANDEZ illegally re-entered the United States. ALFARO HERNANDEZ was taken into custody and transported to the Immigration and Customs Enforcement (ICE) Office in Malta, NY.

Upon arrival at the ICE Malta Office, biographical information and fingerprints were entered into Department of Homeland Security databases for ALFARO HERNANDEZ. Record checks revealed ALFARO HERNANDEZ is a citizen of Mexico. ALFARO HERNANDEZ was first encountered by ERO in Seattle, Washington on July 28, 2008, in a juvenile center in Tacoma, WA, after being arrested by the Pierce County Sheriff's Office for obstructing a law enforcement officer. ALFARO HERNANDEZ was issued a Notice to Appear before an Immigration Judge. ALFARO HERNANDEZ was granted Voluntary Return (VR) to Mexico and removed from the United States on November 19, 2008. On October 10, 2019, ALFARO HERNANDEZ was encountered by the United States Border Patrol (USBP) near Sasabe, AZ. ALFARO HERNANDEZ stated to USBP that he illegally entered the United States on October 8, 2019. ALFARO HERNANDEZ was issued an administrative Expedited Removal by USBP and returned to Mexico. On an unknown date ALFARO HERNANDEZ appears to have illegally re-entered the United States and departed from the United States at Philadelphia, PA to Cancun, Mexico on March 28, 2022. On May 3, 2024, ALFARO HERNANDEZ was encountered by USBP near Douglas, AZ, and arrested for violating 8 U.S.C. § 1326(a). ALFARO HERNANDEZ was prosecuted in the District of Arizona (Tucson Division) Docket #: 4:24-CR-02649-BGM-1. ALFARO HERNANDEZ and ultimately pleaded guilty to an information charging a violation of 8 U.S.C. § 1325(a)(1) [Improper Entry by Alien] and was sentenced to 30 days incarceration. On June 1, 2024, ALFARO HERNANDEZ was removed from the United States to Mexico from Nogales, AZ. On May 22, 2025, ALFARO HERNANDEZ's prior order of removal was reinstated.

ALFARO HERNANDEZ has not received the express consent of the Attorney General of the United States, or his successor, the Secretary of Homeland Security, to apply for readmission into the United States.